



## Selectmen Endorse CPA Request For Capt. Nathan Harding House

by Alan Pollock

CHATHAM — On a split vote, selectmen lent their support Tuesday to a proposal to use public funds to help restore and preserve the exterior of the Capt. Nathan Harding House in West Chatham. The article is one of two which will be on the warrant of a special town meeting on Wednesday, Sept. 30.

The article seeks \$185,136 to fund costs related to the reconstruction and preservation of the front three exterior sides of the old farmhouse, which is owned by David and Gail Oppenheim, and slated to become the new headquarters of the Cape Cod Commercial Hook Fishermen's Association.

The community preservation committee endorsed the request and voted to impose several conditions. The association and the owners must have a signed purchase and sales agreement in place by town meeting; the town must receive a permanent historic preservation restriction covering the front, side and roof sections of the building visible from Main Street, which must be recorded with the property deed and remain in force regardless of ownership; and the exterior preservation must follow department of the interior historic preservation guidelines.

In addition, other conditions will be made part of the agreement at the behest of the Oppenheims. They include returning unspent CPA funds to the town; any cost overages will be covered by the owner; the Hook Fishermen's Association's purchase price of the property will be reduced by the amount of CPA funding; and the owners will build a barn structure on the west side of the building to replace a structurally deficient barn that was recently demolished. The barn will serve as meeting space for the association.

"I think the benefit to the town is clear here," Selectman Len Sussman said. The 1904 building will be restored to the way it looked in its heyday, and that historic appearance will be preserved in perpetuity, he said.

"It would certainly enhance the West Chatham area," Selectman Florence Seldin said. Supporting this request is a way the town can also support the hook fishermen. "It's a way of supporting our fishing community," she said.

Selectman David Whitcomb said the project fits with his goal of improving the West Chatham corridor, and the hook fishermen's group would represent a good use of the building. "I get off the bus when I think that the taxpayer has to pay for it," Whitcomb said. The owner is a successful developer and the hook fishermen are very successful fundraisers,

he noted. "It seems to me that, between the two of them, this deal could be done." Approving this request for public money is inappropriate in a time when town employees are being asked to accept a wage freeze and positions are being reduced, Whitcomb said.

Selectman Sean Summers, a vocal critic of many CPA requests, said most people do not understand the "complex financing method" associated with CPA projects. The funds come from "a very distinct and separate pot of money," not the general tax rolls, Summers said. It is not fair to consider the application based on who happens to hold title to the land, he said. If the previous owner of the house, Cliff LaRose, had made the request "it would be 6,500 to nothing in terms of the vote" at town meeting, Summers said. This is precisely the kind of project that the Community Preservation Act envisioned, he said. People approved the act "to buy open space and to fix up old houses." If this project is rejected, the CPA funds will be spent on other, less worthy projects, Summers said.

But Whitcomb said the town needs to steward its historic preservation money for work on town-owned buildings, like those at the Marconi campus. Approving this request effectively penalizes groups like the Chatham Marconi Maritime Center which successfully raised money for their historic preservation needs, Whitcomb said.

Sussman said while it is true that most CPA projects could have been funded through other sources, they tend to be completed more quickly when they receive CPA funding. In this case, the hook fishermen and the property owner are both sharing the burden of the project, he said. "If town meeting finds this inappropriate, they won't be shy in telling us," Sussman added.

Resident Toddy Everett said taxpayers deserve an "ironclad guarantee" that, should Oppenheim's sale of the property to the hook fishermen fall through, taxpayers will get the money back.

Oppenheim said he stands by his commitment to restore the house, a commitment he made when he bought the property, before he approached the hook fishermen about using the building. But he had no plans to replace the barn, "because we felt that it had no economic value to the property." After talks with the hook fishermen, Oppenheim said he stopped plans for the modest renovation and redesigned the project to fit the hook fishermen's needs, adding third floor offices, handicap-accessible bathrooms and a replica barn. The purchase and sale agreement stipulates that if the town does not appropriate the CPA funds, the buyer's deposit will be returned and the agreement will be terminated. "That shows the importance of this," Oppenheim said.

Oppenheim said he and his wife made a \$100,000 donation to the hook fishermen's association, but are unwilling to commit to returning the \$185,136 in CPA funds, should the hook fishermen fail to meet their fund-raising goal. The town would still have the benefit of a permanently protected historic facade on the building. "The town will have that, no matter what," he said.

Selectmen voted 3-1 to endorse the article, with Whitcomb dissenting and chairman Ronald Bergstrom abstaining from the vote. Last week,


Bergstrom defended himself against accusations of misconduct during a verbal dispute about the article with two members of the hook fishermen's board.

The board took no position on a petition article which seeks to change the zoning bylaw to further regulate chain stores and restaurants. Under the proposed bylaw amendment, businesses with 10 or more stores worldwide which require two or more contractual elements (such as standard menus, uniforms, logos, color schemes, etc.) would be required to undergo site plan review by the planning board and obtain a special permit from the zoning board of appeals. Such "formula" businesses would be allowed in the general and small business zones but not in residential and industrial zones. The zoning board would have to consider the impact of such a business on the town's visual character and the surrounding businesses.

Petitioners Gloria Freeman and Norman Pacun collected 269 signatures in support of the measure. The purpose, they said, is to protect the town from intrusion by chains and franchises and the "potential negative impact they would have on the town's special character, local business-based economy, economic vitality and historic relevance and experience." Community Development Director Kevin McDonald wrote a memo expressing concern that the amendment would violate state statutes and might not be legal.

A third article on the warrant, which would have sought \$5,000 in CPA funds to preserve and restore a stained glass window at St. Christopher's Church, was withdrawn on Monday.

The special town meeting will take place at 6:30 p.m. on Wednesday, Sept. 30, at the gymnasium at Chatham High School, 425 Crowell Rd.

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